

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
3:02CR242-2

UNITED STATES OF AMERICA

v.

ANTONIO FERNANDEZ GARCIA (2)

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**ORDER**

**THIS MATTER** is before the Court on Defendant's Motion to Correct Sentence for the Second Time [doc. 341] filed on March 1, 2007.

In accordance with the Court's original intent, this motion is **GRANTED**. The Order [doc. 339] filed on January 23, 2007, and the Amended Judgment [doc. 340] filed on January 29, 2007, were incorrectly calculated due to clerical error. Accordingly, Defendant's sentence is further reduced from 49 months to 38 months. A second Amended J&C is to be prepared to reflect the new sentence and that Defendant is receiving credit for time served in the North Carolina State prison system.

**IT IS SO ORDERED.**

Signed: March 8, 2007



Graham C. Mullen  
United States District Judge

